

House Bill 1161 (COMMITTEE SUBSTITUTE)

By: Representatives Peake of the 137th, Randall of the 138th, Epps of the 140th, Sellier of the 136th, and Cole of the 125th

A BILL TO BE ENTITLED
AN ACT

To provide for the unified government of Macon-Bibb, Georgia; to provide for boundaries and service districts; to provide for a board of commissioners and the elections, terms, salaries, organization, and vacancies relative to board members; to provide for a legislative process; to provide for ethics; to provide for a mayor and the terms, elections, and salary relative to the office of mayor; to provide for governmental administration; to provide for a judiciary; to provide for elections and election districts; to provide for revenue and finance; to provide for taxation; to provide for procurement and distribution of property; to provide for the application of laws; to provide for a limitation on claims; to provide for a retirement system; to provide for powers; to provide for transition; to provide for the dissolution of existing governments; to provide for a referendum; to provide for a conditional effective date and automatic repeal; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

ARTICLE I

UNIFICATION, CREATION, BOUNDARIES, STATUS, AND
POWERS OF UNIFIED GOVERNMENT

SECTION 1-101.

Unification of county and city; creation of unified government.

(a) The governmental and corporate powers, duties, and functions now vested in the governing authority of the City of Macon, a municipal corporation created by an Act of the General Assembly of Georgia, approved March 23, 1977 (Ga. L. 1977, p. 3776), as amended, are hereby unified with the governmental and corporate powers, duties, and functions of Bibb County. This unification shall result in the creation and establishment of a single county-wide government with powers and jurisdiction throughout the territorial limits of Bibb County, which single government shall supersede and replace the governments of the

H. B. 1161 (SUB)

City of Macon and Bibb County. Said county-wide government shall be a new political entity, a body politic and corporate, and a political subdivision of the state, to be known as "Macon-Bibb, Georgia," having all the governmental and corporate powers, duties, and functions heretofore held by and vested in the City of Macon and Bibb County, and also the powers, duties, and functions provided in this charter. Such unified government shall not include the municipal corporation of Payne City, Georgia, which shall retain its charter and maintain the same legal relationship with the unified government as it had with Bibb County prior to the effective date of this charter, except as otherwise provided in this charter. The unified government shall be a public corporation; shall have perpetual existence; shall adopt a common seal; shall, without the necessity or formality of a deed, bill of sale, or other instrument of transfer, own, possess, and hold all the properties of whatsoever kind or nature, assets, contracts, franchises, things, rights, privileges, immunities, and real and personal property theretofore owned, possessed, enjoyed, or held by the City of Macon or Bibb County; and by the name of Macon-Bibb, Georgia, shall be capable of suing and being sued when authorized by this charter and by the Constitution and laws of the State of Georgia. From and after the effective date of this charter, the political subdivision known as Bibb County, Georgia, and the municipal corporation known as the City of Macon, Georgia, shall be unified into the said new political entity created in this charter.

(b) Macon-Bibb, Georgia shall encourage the meaningful involvement in its operations of all citizens of Macon-Bibb. No individual shall be denied any opportunity on the basis of race, gender, religion, age, disability, or national origin.

(c) The unification of the governments of the City of Macon and Bibb County is authorized pursuant to the provisions of Article IX, Section III, Paragraph II(a) of the Constitution of Georgia of 1983, as amended.

SECTION 1-102.

Boundaries.

Macon-Bibb, Georgia, shall embrace the total area included within the existing territorial limits of Bibb County as such limits are fixed and established on the effective date of this charter, except for those areas within the boundaries of Payne City. However, such limits may be altered and changed from time to time as provided by the Constitution and laws of the State of Georgia pertaining to counties. That portion of the City of Macon which lies in Jones County shall not be included in the area of Macon-Bibb, Georgia, but will remain a part of Jones County.

SECTION 1-103.

Status as municipal corporation and county.

Macon-Bibb, Georgia, shall be deemed to be both a municipal corporation and a county throughout the total territory of said government. It is the express intention of this section to declare as a city and as a part of the unified government all of the area of Bibb County, except for those areas within the boundaries of Payne City.

SECTION 1-104.

Powers.

(a) Macon-Bibb, Georgia, shall have all powers of self-government authorized by the Constitution and not otherwise prohibited by the laws of Georgia.

(b) In addition to the foregoing, the unified government shall have and be vested with, to the same extent as if herein repeated, all rights, powers, duties, privileges, and authority that the mayor and Council of the City of Macon or the Commission of Bibb County, or both, have under the Constitution and general and local laws of the State of Georgia at the time of adoption of this charter, except as herein expressly modified. This authority shall include, but shall not be limited to, the authority to adopt home rule ordinances and resolutions as provided in Article IX, Section II of the Constitution of the State of Georgia.

(c) In addition to the foregoing, the unified government shall have all rights, powers, duties, privileges, and authority herein conferred or herein enlarged, and such other rights, powers, duties, privileges, and authority as may be necessary and proper for carrying the same into execution, and also all rights, powers, duties, privileges, and authority, whether express or implied, that may be now vested in or hereafter granted to counties or municipal corporations, or both, by the Constitution and laws of the State of Georgia, including the powers vested in the unified government by this charter.

(d) The unified government, in addition to the rights, duties, powers, privileges, and authority expressly conferred upon it by this charter, shall have the right, duty, power, privilege, and authority to exercise and enjoy all other powers, duties, functions, rights, privileges, and immunities necessary and proper to promote or protect the safety, health, peace, security, and general welfare of said government and its inhabitants and to exercise all implied powers necessary to carry into execution all powers granted in this charter as fully and completely as if such powers were fully enumerated herein and to do and perform all of the acts pertaining to its property, affairs, and local government which are necessary or proper in the legitimate exercise of its corporate powers and governmental duties and functions.

(e) No enumeration of any right, power, privilege, or authority hereinafter made shall be construed as limiting or abolishing any right, power, privilege, or authority hereinabove set forth.

(f) In addition to and supplementary to all other powers which it may possess, and by way of illustration and not of limitation, the unified government shall have the powers specifically enumerated in Section 8-114 of this charter.

SECTION 1-105.

Taxing districts.

(a) The unified government shall divide the county into two or more taxing districts (herein called "services districts"); provided, however, that at least one of such districts shall be known as the general services district. The general services district shall embrace the total geographic area of Bibb County and shall include the area of Payne City wherein all services provided in the general services area of Macon-Bibb shall be made available to the citizens of Payne City at the same rate such services are provided all citizens of the general services area pursuant to a contract executed between the governments of Payne City and Macon-Bibb for the amount of \$1.00 for a period not to exceed 50 years, as provided in Article IX, Section III, Paragraph I of the Constitution of the State of Georgia. In addition, the board of commissioners shall establish at least one or more urban services districts which shall embrace such territory or territories for which provision is made by the board for additional or higher levels of services than are provided uniformly throughout the territory of the unified government.

(b) Taxes shall be assessed, levied, and collected in accordance with the kind, character, type, degree, and level of services provided by the government within said service districts, and the rate and manner of taxation may vary in any one district from that in another or other districts.

(c) The unified government may also establish special services districts which shall embrace such territory or territories for which provision is made by the board for additional or higher levels of services provided by the unified government.

(d) In the establishment of the first urban services district or districts, the board shall hold two or more public hearings thereon at which all interested persons affected thereby shall have an opportunity to be heard. Notice of the time, place, and date of such hearings shall be published in the official legal organ of Macon-Bibb at least once a week during the two weeks immediately preceding the date of hearing.

(e) In the establishment of special services districts, the board shall hold two or more public hearings thereon at which all interested persons affected thereby shall have an opportunity

to be heard. Notice of the time, place, and date of such hearings shall be published in the official legal organ of Macon-Bibb at least once a week during the two weeks immediately preceding the date of hearing.

(f) The unified government is hereby empowered to exercise and provide within the general services district and within any urban and special services district established by this charter or by ordinance of the board those powers, functions, and services which have theretofore been exercised and provided by Bibb County or the City of Macon, or both; all powers, functions, and services authorized by this charter and any amendments thereto; and all powers, functions, and services which counties or municipal corporations, or both, are now or are hereafter authorized to exercise under the Constitution and laws of the State of Georgia.

(g) The unified government shall perform within the general services district those governmental duties, functions, and services which are generally available and accessible to all residents and businesses throughout the total area of said government.

(h) The unified government shall perform within its urban services districts those additional, more comprehensive and intensive, and higher levels of governmental duties, functions, and services which benefit primarily the residents of such urban services districts.

(i) The unified government shall perform within its special services districts those additionally selected, more comprehensive, intensive, and higher levels of governmental duties, functions, and services which benefit primarily the residents of such special services districts.

(j) Except as otherwise provided by this charter, urban and special services districts of the unified government shall be created, expanded, merged, consolidated, or reduced only by an ordinance duly adopted by the board under such general rules, procedures, regulations, requirements, and specifications as established by the board; provided, however, that no new urban or special service district shall be created or existing urban or special services district expanded, abolished, merged, consolidated, or reduced without providing an opportunity for interested persons to be heard by publishing a notice of at least two public hearings on the proposed expansion, consolidation, reduction, or creation of an urban or special services district in the official legal organ of Macon-Bibb, Georgia, at least once a week during the two weeks immediately preceding the date of each hearing. Such rules and regulations shall set forth the manner and method for the creation of new urban and special services districts; the expansion, consolidation, reduction, or merger of existing urban or special services districts; requirements for defining functions and policies for rendering services; changes in levels of services within existing services districts; the transfer of territory from one services district to another; requirements for defining boundaries of services districts; procedures for

the expansion, reduction, or consolidation of existing services districts; and requirements for defining boundaries of services districts.

(k) The unified government is empowered to create new services and eliminate existing services by the same procedures and methods stated above.

(l) Citizens of any area in the county may request additional services by petitioning the unified government according to the rules, procedures, and guidelines established by the unified government. The unified government shall hold public hearings as outlined in the services district modification procedure stated above and shall consider all comments received prior to reaching a final decision.

SECTION 1-106.

Construction.

The powers of the unified government shall be construed liberally in favor of the unified government. The specific mention or failure to mention particular powers in this charter shall not be construed as limiting in any way the general powers of the unified government as provided in this article. It is the intention hereof to grant to the unified government full power and right to exercise all governmental authority authorized by the Constitution and laws of Georgia which is necessary for the effective operation and conduct of the unified government within its territory and for the conduct of all of its affairs.

ARTICLE II

LEGISLATIVE ARTICLE

CHAPTER 1 - The Board of Commissioners

SECTION 2-101.

Name and composition.

There is hereby created the Board of Commissioners of Macon-Bibb, Georgia (hereinafter "board"). Membership on the board is a part-time position. The board shall consist of seven members elected from districts as provided in Section 6-201 of this charter.

SECTION 2-102.

Term of office; qualifications; disqualifications.

(a) The term of office of all members of the board of commissioners shall be four years, with members serving staggered terms and until their successors are elected and qualified, except that a commissioner appointed to fill a vacancy shall serve only for the balance of the

unexpired term as provided in Section 2-106 of this charter. Initially, four members will serve two-year terms and three members will serve four-year terms to provide for staggered terms. Thereafter, all members shall be elected for four-year terms. All terms of office following the initial terms shall commence at the first regular meeting in January next following the election.

(b) No person shall be eligible for election or appointment to the board unless such person, on or before the date of election or appointment, shall have attained the age of 21 years, shall be a qualified voter of Macon-Bibb, Georgia, and shall have resided within the county for one year and within the territorial limits of the district from which elected on the date of qualifying for election. A member of the board shall continue to reside within the district from which elected during such member's term of office.

(c) No member of the board, during that member's term of office, shall hold any other federal, state, or local government elective office.

(d) Any commissioner who has been elected for three full consecutive four-year terms of office under the provisions of this charter shall not be eligible to be elected for the succeeding term.

SECTION 2-103.

Salary and expenses.

(a) The salary of each commissioner shall be \$10,000.00 per year, payable in equal monthly installments.

(b) In addition to the salary, commissioners shall be reimbursed for all direct expenses incurred in carrying out the duties and responsibilities of the unified government.

(c) The salary and expenses of members of the board may be changed by ordinance, subject to the following conditions:

(1) No action to increase the salary or expenses of commissioners shall be taken until notice of intent to take the action has been published in the official legal organ of Macon-Bibb at least once a week for three successive weeks immediately preceding the week during which the action is taken;

(2) Any action to increase the salary of commissioners shall not become effective until the date of commencement of the terms of those commissioners elected at the next regular election following such action; and

(3) No action to increase the salary of commissioners shall be taken during the period between the date when candidates for election to the board may first qualify as candidates and the date when members of the board take office following their election.

SECTION 2-104.

Organization; oath; rules; quorum; meetings; records;
chairperson of the board of commissioners.

(a) The board shall meet for organization and swearing-in purposes at their first regular meeting. At this meeting, the newly elected or reelected commissioners shall each take the following oath of office, to be administered by the judge of the probate court:

"I do solemnly swear (or affirm) that I will well and truly perform the duties of Commissioner of Macon-Bibb, Georgia, and that I will support and defend the charter thereof, as well as the Constitution and laws of the State of Georgia and of the United States of America, so help me God."

(b) The board, by majority vote, shall adopt rules of procedure governing the transaction of its business consistent with the provisions of this charter, shall adopt by ordinance the time, date, and place for regular meetings, which will be held at least twice monthly, and shall provide for keeping minutes of its proceedings by the chief operating officer as provided in Section 4-102 of this charter.

(c) At its first organization meeting, the board shall select the dates for when it will hold its regular twice-monthly meetings.

(d) Four of the seven members of the board shall constitute a quorum for the transaction of business.

(e) Special meetings of the board may be called by the mayor or by any five commissioners upon no less than 24 hours' written notice to each member served personally or left at the usual place of business or residence of such member. Such notice of a special meeting may be waived in writing either before or after the meeting. Subject to subsection (d) of Code Section 50-14-1 of the O.C.G.A., special meetings may be held at any time without notice to all commissioners, upon attendance at such meeting by all members of the board, or by waiver of notice of those not in attendance.

(f) All meetings of the board, except for those exceptions provided for in general law, shall be public, and any citizen shall have access to the minutes and records thereof at reasonable times.

(g) At its first meeting in January of each year, a chairperson of the board shall be elected by and from the membership of the board of commissioners to serve for a term of one year. Such an election shall take place at the first regular meeting of the board each year and whenever necessary to fill a vacancy in the office. A commissioner elected to fill a vacancy shall only serve as such until an election for a new chairperson of the board is held the following year.

264 (h) The chairperson of the board shall preside over meetings. In the event that the mayor
265 is temporarily absent or otherwise unable to perform the duties of office, the chairperson of
266 the board shall discharge the duties of mayor until either the return of the mayor or the
267 election of a new mayor. While serving as the mayor, the chairperson of the board shall have
268 the same powers as a mayor and not those of a commissioner.

269 **SECTION 2-105.**

270 **Powers.**

271 (a) All legislative powers of the unified government of Macon-Bibb, Georgia, including any
272 such powers which may hereafter be conferred by law upon said government, shall be vested
273 exclusively in and exercised by the board in accordance with the provisions of this charter.
274 (b) In addition to its legislative powers, the board shall specifically have the power to:
275 (1) Approve, reject, or amend the budget by majority vote;
276 (2) Approve or reject recommendations concerning the appointments of the chief
277 operating officer, attorney, police chief, and fire chief, and enter into employment
278 agreements with each of these officers;
279 (3) Appoint and remove from office the auditor by majority vote of the entire board; and
280 (4) Override the mayor's veto with the affirmative vote of five commissioners.
281 (c) In the exercise of its powers, the board shall adopt and provide for the execution of such
282 ordinances, resolutions, rules, and regulations, not inconsistent with this charter, as may be
283 necessary or proper for the purpose of carrying into effect the powers conferred by this
284 charter and for the promotion and protection of the safety, health, peace, security, and general
285 welfare of the inhabitants of the unified government and may enforce such ordinances,
286 resolutions, rules, and regulations by imposing penalties for violations thereof, as prescribed
287 by ordinance, by a fine not exceeding \$1,000.00 or by imprisonment for a period not
288 exceeding six months, or both.
289 (d) Except as otherwise provided by the Constitution, general or local law, or this charter,
290 the board may by ordinance create, change, alter, combine, abolish, consolidate, and redefine
291 the manner of appointment, membership, powers, and duties of bureaus, boards,
292 commissions, departments, divisions, authorities, offices, and agencies of Macon-Bibb,
293 Georgia, including positions of public employment, and may transfer and delete functions
294 and assign additional functions to any bureaus, offices, agencies, departments, divisions,
295 boards, authorities, commissions, and positions of public employment existing under this
296 charter. The board may by ordinance transfer all the assets, liabilities, and obligations
297 thereof to a department, a division, or other unit of a department of the unified government,
298 which shall have the power, and its duty shall be to perform and exercise all the functions

and powers theretofore performed and exercised by such board, commission, authority, division, agency, bureau, office, department, or position of public employment.

(e) Subsection (d) of this section shall not apply to any authorities or boards which were created by either a local constitutional amendment or by a local Act of the General Assembly.

(f) The board shall have the power to conduct or cause to be conducted inquiries and investigations of the operations of any office, department, or agency or the conduct of any officer or employee thereof administering the affairs of the unified government. In conducting inquiries and investigations, the board shall have the right to administer oaths; subpoena witnesses, documents, records, or other evidence; take testimony; and require the production of evidence. The conduct of proceedings at board inquiries and investigations shall be subject to such rules and regulations as the board may prescribe by general ordinance.

(g) The board shall provide for the form of oaths and the amount and condition of surety bonds as may be required of any officer or employee of the unified government.

(h) The board shall have and exercise such other powers as conferred upon it by this charter and the laws of Georgia.

SECTION 2-106.

Filling of vacancies.

(a) In the event that the office of a member of the board of commissioners shall become vacant by reason of death, resignation, or any other cause, and the term shall expire in less than one year, the remaining members of the board shall appoint a replacement from within the district without a representative to fulfill the unexpired term. Any individual so appointed must have the same qualifications required for election to the office.

(b) If the term of the vacant board position will continue for more than one year, a special election shall be held as provided in this charter and in general state law to elect a new member of the board to serve for the remainder of the term.

CHAPTER 2 - Legislative Procedure

SECTION 2-201.

Legislation by ordinance.

Every official act of the board which is to have the force and effect of law shall be by ordinance and shall begin with the words: "The Board of Commissioners of Macon-Bibb,

331 Georgia, hereby ordains." All other acts of the board shall be by resolution or shall take such
332 other form as prescribed by its rules.

333 **SECTION 2-202.**

334 Introduction, consideration, and passage of ordinances and resolutions.

335 (a) Every proposed ordinance and every amendment shall contain not more than one subject
336 which shall be clearly expressed in its title.

337 (b) Every proposed ordinance and every amendment shall be introduced in writing.

338 (c) Prior to the introduction of any ordinance, copies of it shall be prepared by the chief
339 operating officer and distributed to each member of the board and to the attorney. It shall be
340 the duty of the attorney to review the draftsmanship and impact of each ordinance. Within
341 seven days after a proposed ordinance has been introduced, the chief operating officer shall
342 publish in a newspaper of general circulation designated as the legal organ of the unified
343 government a brief description of the subject and purpose of the ordinance and notice of the
344 availability of the proposed ordinance for public inspection in the office of the chief
345 operating officer.

346 (d) A summary of every proposed ordinance shall be read upon first introduction and by title
347 at the next regular meeting not less than seven days following the meeting of its introduction.
348 In no event, however, except for emergency ordinances, may any ordinance be voted on in
349 less than seven days after it is introduced.

350 (e) The adoption of any ordinance shall be by the affirmative vote of at least four of the
351 seven commissioners.

352 (f) The passage of all ordinances shall be contingent upon the recording of the "ayes" and
353 "nays" of each commissioner, and the names of the commissioners voting for and against
354 each proposed ordinance or amendment, those abstaining, and those absent shall be entered
355 upon the minutes of the proceedings of the board.

356 **SECTION 2-203.**

357 Emergency ordinances.

358 To meet a public emergency threatening life, health, property, or public safety, the board may
359 adopt emergency ordinances; provided, however, that such ordinances may not be enacted
360 to levy taxes; to grant, renew, or extend a franchise; to regulate the rate charged for any
361 public utility or service; or to authorize the borrowing of money unless it shall be repaid in
362 30 days or less. An emergency ordinance shall be in the form prescribed for ordinances
363 generally, except that it shall be plainly designated as an emergency ordinance and shall

contain a declaration stating what emergency exists. An emergency ordinance may be adopted with or without amendment or it may be rejected at the meeting at which it is introduced, but the affirmative vote of at least five of the seven members of the board shall be required for adoption. An emergency ordinance shall become effective upon adoption or at such later time as it may specify. Every emergency ordinance shall automatically stand repealed on the sixteenth day following the date on which it was adopted; but if the emergency still exists, this shall not prevent reenactment of the ordinance in the manner specified in this section. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in this section for adoption of emergency ordinances.

SECTION 2-204.

Submission of ordinances to mayor; veto.

Every ordinance or resolution adopted by the board shall be certified by the chief operating officer and presented to the mayor within two business days following its adoption. The mayor shall approve or veto the ordinance or resolution within ten business days after adoption, and no ordinance or resolution shall become effective without his or her approval except as herein provided. If the mayor vetoes an ordinance or resolution, he or she shall within two business days following such veto return the ordinance or resolution to the chief operating officer with a written statement of the reasons for the veto. The chief operating officer shall record the date of the receipt of the vetoed ordinance or resolution and thereupon shall notify the board members of such veto. If the board shall pass the ordinance or resolution by a vote of five of the seven members at the meeting next held after the ordinance or resolution has been returned with the mayor's veto, it shall become law without his or her approval. In the event the mayor does not approve or veto the ordinance or resolution within the time required, it shall become law without his or her approval.

SECTION 2-205.

Authentication; recording; effective date.

All ordinances which have become law shall immediately be deposited in the official archives of the chief operating officer. The chief operating officer shall note on the face of the ordinance the date and time it has become law, and the ordinance shall become effective at noon on the day following its becoming law or at such later time as it may specify. The chief operating officer shall authenticate by his or her signature each ordinance which has become law.

SECTION 2-206.

Codes of technical regulations.

(a) The board may adopt any standard code of technical regulations by reference thereto in an adopting ordinance. The procedure and requirements governing such adopting ordinance shall be prescribed for ordinances generally except that:

(1) The requirements of subsection (c) of Section 2-202 of this charter for distribution of copies of the ordinance to each commissioner and to the attorney shall be construed to include copies of the code of technical regulations which shall be maintained in the chief operating officer's office, as well as the adopting ordinance; and

(2) A copy of each adopted code of technical regulations, as well as the adopting ordinance, shall be authenticated and recorded by the chief operating officer as provided in Section 2-205 of this charter.

(b) Copies of any adopted code of technical regulations shall be made available by the chief operating officer for public inspection and for purchase at a reasonable price as fixed by the board.

SECTION 2-207.

Codification and printing of ordinances.

(a) The board shall, within two years of the effective date of this charter, provide for the preparation of a general codification of all ordinances of a general or permanent nature. Such code shall be adopted by the board by ordinance and shall be published promptly in loose-leaf form, together with all amendments thereto, this charter, any amendments hereto, and such codes of technical regulations and other rules and regulations as the board may specify. This compilation shall be known and cited officially as the "Code of Macon-Bibb, Georgia." As determined by the board, copies of the code shall be furnished to officers, departments, and agencies of the unified government; placed in libraries and public offices for public reference; and made available for purchase by the public at a reasonable price.

(b) Following publication of the first "Code of Macon-Bibb, Georgia," and from time to time thereafter, the ordinances and charter amendments shall be printed in substantially the same style as the code then in effect and shall be suitable in form for integration therein.

SECTION 2-208.

Prima-facie evidence.

A record or entry made by the chief operating officer or a copy of such record or entry, duly certified by the chief operating officer, shall be prima-facie evidence of the terms of every ordinance and its due publication.

CHAPTER 3 - Ethics and Prohibited Practices**SECTION 2-301.**

Conflict of interest.

No elected official, appointed officer, or employee of Macon-Bibb, Georgia, or any agency or political entity to which this charter applies shall knowingly:

(1) Engage in any business or transaction in which the person has a financial interest which is incompatible with the proper discharge of official duties;

(2) Disclose confidential information concerning the property, government, or affairs of the governmental body by which such person is engaged or is a member of without proper legal authorization or use that information to advance the financial or other private interest of such person or others;

(3) Accept any gift from any person, firm, or corporation which to his or her knowledge is interested, directly or indirectly, in business dealings with the governmental body he or she is a member of or by which such person is engaged; provided, however, that an elected official who is a candidate for public office may accept campaign contributions and services in connection with any campaign. The definition of "gift" shall be that used in the Executive Order of the Governor in the Ethics in Government Policy for employees of the executive branch of state government;

(4) Represent private interests other than his or her own in any action or proceeding against Macon-Bibb, Georgia, or any portion of its government; provided, however, that this paragraph shall not be deemed to prohibit any official or employee of Macon-Bibb, Georgia, who is also an active member of the State Bar of Georgia from representing a criminal defendant in either the State or Superior Court of Macon-Bibb; or

(5) Vote or otherwise actively participate in the negotiation or the making of any contract between Macon-Bibb, Georgia, and any business or entity in which he or she has a financial interest.

SECTION 2-302.

Disclosure.

Any elected official, appointed officer, or employee of the unified government or of any board, commission, authority, or agency thereof who shall have any private financial interest, direct or indirect, in any contract or matter pending before or within any department of the unified government shall disclose such private interest to the board. Any commissioner who has a private interest in any matter pending before the board shall disclose such private interest and such disclosure shall be entered on the records of the board, and he or she shall disqualify himself or herself from participating in any decision or vote relating thereto. Any elected official, appointed officer, or employee of any board, commission, authority, or agency of the unified government who shall have any private financial interest, direct or indirect, in any contract or matter pending before or within such entity shall disclose such private interest to the board.

SECTION 2-303.

Testimony of public officials relating to public affairs.

Any officer or employee of the unified government or of any board, commission, authority, or agency thereof who is duly and properly called as a witness before any unified government, state, or federal judicial or administrative tribunal, and who shall before such tribunal fail to answer any proper question concerning the performance of his or her official duties, shall be guilty of a violation of this charter.

SECTION 2-304.

Contracts voidable and rescindable.

Any contract between Macon-Bibb, Georgia, or any board, commission, authority, agency, or entity thereof made in violation of the provisions of this charter shall be voidable or rescindable at the option of the board at any time if any elected official, appointed officer, or employee of such unified government or board, commission, authority, or agency thereof has any interest in such contract and does not disclose such interest in accordance with Section 2-302 of this charter.

485 **SECTION 2-305.**

486 Hearings and determinations; penalties for violation.

487 (a) Upon the sworn complaint of any person alleging facts which if true would constitute a
488 violation of this charter, the board may conduct a public hearing at which the accused shall
489 be given an opportunity to be heard, either personally or through counsel. At the conclusion
490 of such hearing, the board shall, in written findings of fact and conclusions based thereon,
491 make a determination concerning the propriety of the conduct of the official or employee in
492 question.

493 (b) Any officer or employee of Macon-Bibb, Georgia, or of any board, commission,
494 authority, or agency thereof who is found to have knowingly concealed his or her personal
495 financial interest or who is found to have knowingly violated any of the requirements of this
496 charter shall be deemed guilty of malfeasance in office or position. If such decision is upheld
497 after all reviews and appeals provided by the merit system of the unified government have
498 been exhausted, the officer or employee shall be subject to such punishment as may be
499 deemed appropriate by the board and which may include forfeiture of office or position.

500 (c) Any officer or employee of the unified government or of any board, commission,
501 authority, or agency thereof who shall forfeit his or her office or position as described in
502 subsection (b) of this section shall be ineligible for appointment or election to or employment
503 in a position in the unified government or of any board, commission, authority, or agency
504 thereof for a period of three years thereafter.

505 **ARTICLE III**

506 **MAYOR**

507 **SECTION 3-101.**

508 Election; term.

509 There is hereby created the office of mayor of Macon-Bibb, Georgia (referred to at times in
510 this charter as the "mayor"). The mayor shall be elected at-large by the voters of the unified
511 government and shall serve for a term of four years and until a successor is elected and
512 qualified. Any mayor who has been elected for two full consecutive four-year terms of office
513 under the provisions of this charter shall not be eligible to be elected for the succeeding term.

514 **SECTION 3-102.**

515 Qualifications of office.

516 (a) To be eligible for election as mayor, a person on the date of election shall:

- 517 (1) Have attained the age of 21 years;
- 518 (2) Have resided in the territory of Macon-Bibb, Georgia, for at least one year
- 519 immediately preceding the date of election and shall continue such residence therein
- 520 during the term of office;
- 521 (3) Be a registered voter of Macon-Bibb, Georgia; and
- 522 (4) Meet any other requirements as established by law.
- 523 (b) No person elected as mayor shall, during that person's term of office, hold any other
- 524 federal, state, or local government office.

525 **SECTION 3-103.**

526 Compensation.

- 527 (a) The mayor shall receive as compensation for the services of this office an annual salary
- 528 of not less than \$105,000.00, payable in equal monthly installments.
- 529 (b) In addition to the salary, the mayor shall be reimbursed for all direct expenses incurred
- 530 in carrying out the duties and responsibilities of the unified government.
- 531 (c) The salary and expenses of the mayor may be changed by ordinance, subject to the
- 532 following conditions:
- 533 (1) No action to increase the salary or expenses of the mayor shall be taken until notice
- 534 of intent to take the action has been published in the official legal organ of Macon-Bibb
- 535 at least once a week for three successive weeks immediately preceding the week during
- 536 which the action is taken;
- 537 (2) Any action to increase the salary of the mayor shall not become effective until the
- 538 date of commencement of the term of the mayor elected at the next regular election
- 539 following such action; and
- 540 (3) No action to increase the salary of the mayor shall be taken during the period
- 541 between the date when candidates for election to the office of mayor may first qualify as
- 542 candidates and the date when the newly elected mayor takes office following the election.

543 **SECTION 3-104.**

544 Powers and duties.

- 545 The mayor shall have the powers and duties to:
- 546 (a) Serve as the official representative of Macon-Bibb, Georgia, including serving as the
- 547 unified government's representative to federal, state, and local governmental bodies and
- 548 officials;

- 549 (b) Appoint a chief operating officer, who will be confirmed by a majority of the board.
550 Initiate the process, with the involvement of commissioners and appropriate staff, to search
551 and screen candidates for the positions of attorney, police chief, and fire chief and to appoint
552 candidates for these positions to the board of commissioners subject to concurrence of
553 majority of the entire board;
- 554 (c) Remove the chief operating officer, attorney, police chief, and fire chief.
- 555 (d) Set the agenda, after receiving input from members of the board, the chief operating
556 officer, and the public, for meetings of the board;
- 557 (e) Make committee appointments;
- 558 (f) Present the annual budget and the capital improvements budget, which has been prepared
559 by the chief operating officer with the assistance of all department and agency heads and all
560 others who supervise the implementation of a budget that uses funds of Macon-Bibb,
561 Georgia, for approval by the mayor, to the board for approval;
- 562 (g) Approve or veto proposed ordinances or resolutions as provided by this charter;
- 563 (h) Call special meetings of the board of commissioners as provided by this charter and by
564 rules of the board;
- 565 (i) Execute all deeds, contracts, and obligations of the unified government, provided such
566 execution shall be attested to by the chief operating officer;
- 567 (j) Recommend to the board the adoption of such measures as deemed necessary or
568 expedient; and
- 569 (k) Perform any other duties and exercise any other powers required by state or federal law
570 or authorized by a duly adopted ordinance that is not in conflict with this charter.

571 **SECTION 3-105.**

572 Voting.

573 The mayor shall not be authorized to vote on any matter before the board.

574 **SECTION 3-106.**

575 Vacancy in office of mayor.

- 576 (a) In the event that the office of mayor shall become vacant by reason of death, resignation,
577 or any other cause, within one year of the end of the term, the unexpired term shall be filled
578 by the chairperson of the board of commissioners who shall serve as mayor with all powers
579 of the mayor until the next general election.
- 580 (b) If the term of the mayor will continue for more than one year, a special election shall be
581 held as provided in general law to elect a new mayor for the remainder of the vacant mayor's

582 term, provided that the chairperson of the board shall serve as mayor pro tempore until an
583 election is held and a successor is elected and qualified.

584 ARTICLE IV
585 ADMINISTRATION
586 CHAPTER 1 - Officers
587 SECTION 4-101.

588 Chief operating officer; appointment; qualifications; compensation.

589 There shall be a professional manager who shall be known as the chief operating officer of
590 Macon-Bibb, Georgia (hereinafter "COO"). The mayor shall recommend candidates to the
591 board for the office of COO who shall be the full-time administrative officer of the unified
592 government. No person holding an elective office in Macon-Bibb shall be eligible for
593 appointment until two years after leaving elective office. Such recommendations shall
594 become effective when confirmed by a majority vote of the total membership of the board.
595 The COO shall be prohibited from engaging in any political activity, and the COO shall not
596 be eligible to qualify as a candidate for an elective office in Macon-Bibb for one year after
597 leaving office. The COO shall serve at the pleasure of the mayor and may be removed from
598 office by the mayor for cause. The COO need not be a resident of the unified government
599 at the time of his or her appointment but shall establish residence therein within six months
600 of such appointment and continue to reside therein throughout such appointment. The
601 qualifications and compensation of the COO shall be fixed by the board of commissioners.

602 SECTION 4-102.
603 Chief operating officer; powers and duties.

- 604 (a) The COO shall be responsible for:
- 605 (1) The management and coordination of the operations and activities of the various
606 departments and agencies of the unified government;
- 607 (2) The appointment and removal of all department heads with the exception the city
608 attorney, auditor, police chief, and fire chief;
- 609 (3) The preparation of the proposed annual budget with the assistance of all department
610 heads for approval by the board;
- 611 (4) Keeping the board at all times fully advised as to the financial condition and needs
612 of the unified government;

(5) Conducting studies and investigations and making reports thereon to the board concerning the operations of the departments, offices, and agencies of the unified government;

(6) Requiring any department, board, commission, or agency under the COO jurisdiction to submit written reports and to provide other information as deemed necessary;

(7) Prescribing, requiring, publishing, and implementing standards of administrative, management, and operating practices and procedures to be followed and adhered to by all offices, departments, boards, commissions, authorities, and other agencies of the unified government which are subject to the COO's supervision and jurisdiction;

(8) Acting as the purchasing agent of Macon-Bibb as provided for in Section 8-105 of this charter; and

(9) Maintaining all required records of the operations and activities of Macon-Bibb, including the minutes of all meetings of the board.

(b) Except for the purpose of inquiry and investigation, the mayor and board shall deal with employees of the unified government who are subject to appointment and removal by the COO solely through the COO and shall not give orders or directions to any such employee, either publicly or privately, directly or indirectly.

SECTION 4-103.

Attorney; appointment; term; qualifications; duties; compensation.

(a) The mayor shall recommend one or more candidates to the board for the attorney of the unified government (referred to at times in this charter as the "Attorney"). The recommendations shall become effective when confirmed by a majority vote of the total membership of the board. The attorney shall serve at the pleasure of the mayor and may be removed from office by the mayor.

(b) The attorney shall be an active member of the State Bar of Georgia in good standing and shall satisfy any other qualifications established by ordinance.

(c) The attorney shall be the legal counsel to the unified government and shall perform such other duties as may be required by this charter or by ordinance.

(d) The compensation of the attorney shall be as prescribed by a duly adopted ordinance.

(e) The attorney shall with the approval of the board be authorized to employ such additional attorneys as necessary for a law department to perform the duties imposed either by this charter or by the board.

SECTION 4-104.

Auditor; appointment; term; duties; qualifications; compensation.

(a) Any member of the board of commissioners may nominate candidates to the board for the office of auditor of the unified government (referred to at times in this charter as the "auditor"). The board shall, by majority vote, appoint an auditor who shall make all reports to the board of commissioners. The board shall have the authority to remove the auditor from office.

(b) The qualifications, duties, and compensation of the auditor shall be as prescribed in a duly adopted ordinance.

SECTION 4-105.

Police chief.

(a) There shall be a police department of Macon-Bibb, Georgia, under the management of the police chief.

(b) The chief law enforcement officer for Macon-Bibb, Georgia, shall be an appointed police chief, who shall be appointed by the mayor and approved by majority vote of the board of commissioners. The police chief shall report to and be under the management and control of the mayor and board of commissioners.

SECTION 4-106.

Sheriff.

(a) The sheriff of Bibb County in office on the effective date of this charter shall be the sheriff of Macon-Bibb, Georgia. The sheriff shall serve for the same term as provided by law, and the compensation shall be fixed as provided by law. Subsequent elections for sheriff shall be on the same basis as provided by law for the election of sheriffs generally.

(b) The sheriff shall be responsible for the operation of the jail, the transport of prisoners, the service of process, and such other powers and duties as are provided by the Board of Commissioners of Macon-Bibb, Georgia, and by the Constitution and laws of Georgia.

SECTION 4-107.

Judge of the probate court.

The judge of the probate court of Bibb County in office on the effective date of this charter shall be the judge of the probate court of Macon-Bibb, Georgia. The judge of the probate

675 court shall serve for the same term as provided by law, and the compensation shall be fixed
676 as provided by law. Subsequent elections for the judge of the probate court shall be on the
677 same basis as provided by law for the election of probate judges generally. The judge of the
678 probate court shall perform the same duties and exercise the same powers as conferred on
679 probate judges generally by the Constitution and laws of Georgia.

680 **SECTION 4-108.**

681 Clerk of superior court.

682 The clerk of superior court of Bibb County in office on the effective date of this charter shall
683 be the clerk of superior court of Macon-Bibb, Georgia. The clerk of superior court shall
684 serve for the same term as provided by law, and the compensation shall be fixed as provided
685 by law. Subsequent elections for the clerk of superior court shall be on the same basis as
686 provided by law for the election of clerks of superior court generally. The clerk of superior
687 court shall perform the same duties and exercise the same powers as conferred on clerks of
688 superior court generally by the Constitution and laws of Georgia.

689 **SECTION 4-109.**

690 Tax commissioner.

691 The tax commissioner of Bibb County in office on the effective date of this charter shall be
692 the tax commissioner of Macon-Bibb, Georgia. The tax commissioner shall serve for the
693 same term as provided by law, and the compensation shall be fixed as provided by law.
694 Subsequent elections for tax commissioner shall be on the same basis as provided by law for
695 the election of tax commissioners generally. The tax commissioner shall perform the same
696 duties and exercise the same powers as conferred on tax commissioners generally by the
697 Constitution and laws of Georgia.

698 **SECTION 4-110.**

699 Coroner.

700 The coroner of Bibb County in office on the effective date of this charter shall be the coroner
701 of Macon-Bibb, Georgia. The coroner shall serve for the same term as provided by law, and
702 compensation shall be fixed as provided by law. Subsequent elections for coroner shall be
703 on the same basis as provided by law for the election of coroners generally. The coroner
704 shall perform the same duties and exercise the same powers as conferred on coroners
705 generally by the Constitution and laws of Georgia.

706 CHAPTER 2 - Administrative and Service Departments

707 **SECTION 4-201.**

708 Creation and functions; generally.

709 Except as otherwise provided by this charter or by law, the administrative and service
710 departments of the unified government shall be created and established by ordinance and
711 shall perform such functions, duties, services, and responsibilities as enumerated in such
712 ordinances and as prescribed by administrative regulations.

713 **SECTION 4-202.**

714 Administrative reorganization.

715 The board may, by ordinance, reorganize, combine, consolidate, or discontinue any
716 department or agency of the unified government subject to the jurisdiction of the Board and
717 may, by ordinance, prescribe the functions and duties thereof and may establish, abolish, or
718 alter all nonelective offices and positions of employment as necessary for the proper
719 administration of the unified government.

720 **SECTION 4-203.**

721 Appointment of directors of departments.

722 All directors of departments under the supervision and direction of the COO shall be
723 appointed by the COO. The directors of all such departments shall serve at the pleasure of
724 the COO.

725 **SECTION 4-204.**

726 Departments under state law.

727 (a) All departments, which are created pursuant to state or federal law and which administer
728 various state and federal programs and services shall continue their operations without
729 interruption resulting from the adoption of this charter.

CHAPTER 3 - Merit System of Personnel Administration

SECTION 4-301.

Establishment of merit system.

(a) The Board shall establish, by ordinance, a Merit System of Personnel Administration for Macon-Bibb, Georgia. All positions in the service of Macon-Bibb, Georgia, shall be in the Classified (Merit System) Service except the following which are declared to be in the Unclassified Service:

(1) Officers elected by the people and persons appointed to fill vacancies in elective offices;

(2) Members of boards and commissions;

(3) Directors of departments;

(4) Persons temporarily employed in a professional or scientific capacity or to conduct a special inquiry, investigation, examination, or installation;

(5) Temporary and part-time employees; and

(6) Such other employees as may be excluded from coverage under the merit system as provided by ordinance or other applicable law.

(b) The Merit System of Personnel Administration shall provide for classification of positions, the manner and method of publicizing vacancies, employing and appointing personnel, the qualifications of employees, employee performance evaluations, salaries, hours of employment, vacations, sick leave, special workers' compensation, job security, promotion, demotion, disciplinary procedures, transfer, layoff, removal, welfare of employees, retirement policy, payment of premiums of employee insurance benefits, grievance procedures, service awards, training leave, and any other measures that promote the hiring and retaining of capable, diligent, and honest career employees, all of which shall be in accordance with federal law.

CHAPTER 4 - Boards, Commissions, and Authorities

SECTION 4-401.

Certain boards, commissions, and authorities continued.

All existing boards, commissions, and authorities are continued without interruption on the effective date of this charter. As used in the Acts and amendments creating the existing boards, commissions, and authorities, the terms "Macon City Council" and "Bibb County Board of Commissioners" shall mean the Board of Commissioners of Macon-Bibb, Georgia, and the terms "Mayor of the City of Macon" and "Chairman of the Bibb County Board of Commissioners" shall mean the chairperson of the Board of Commissioners of Macon-Bibb,

Georgia. The Board of Commissioners of Macon-Bibb, Georgia, shall have the authority to examine all existing boards, commissions, and authorities of the former City of Macon and Bibb County for the purpose of determining whether any such boards, commissions, and authorities should be reorganized or reconstituted for the purpose of increasing their efficient operation. Provided, however, that this authority shall not be construed to authorize the board to affect any board, commission, and authority created by general law or by local constitutional amendment.

ARTICLE V

JUDICIARY

SECTION 5-101.

Superior court and district attorney; unaffected by charter; redesignation.

The Superior Court of Bibb County, including the office of the district attorney, shall continue its operations without interruption resulting from the adoption of this charter, and nothing herein shall be construed as affecting the status of said court. The court shall be known as the Superior Court of Macon-Bibb, Georgia.

SECTION 5-102.

State court and solicitor-general; unaffected by charter; redesignation.

The State Court of Bibb County, including the office of the solicitor-general, shall continue its operations without interruption resulting from the adoption of this charter, and nothing herein shall be construed as affecting the status of said court. The court shall be known as the State Court of Macon-Bibb, Georgia.

SECTION 5-103.

Juvenile court; unaffected by charter; redesignation.

The Juvenile Court of Bibb County shall continue its operations without interruption resulting from the adoption of this charter, and nothing herein shall be construed as affecting the status of said court. The court shall be known as the Juvenile Court of Macon-Bibb, Georgia.

SECTION 5-104.

Probate court; unaffected by charter; redesignation.

The Probate Court of Bibb County shall continue its operations without interruption resulting from the adoption of this charter, and nothing herein shall be construed as affecting the status of said court. The court shall be known as the Probate Court of Macon-Bibb, Georgia.

SECTION 5-105.

Magistrate court; unaffected by charter; redesignation.

The Magistrate Court of Bibb County shall continue its operations without interruption resulting from the adoption of this charter, and nothing herein shall be construed as affecting the status of said court. The court shall be known as the Magistrate Court of Macon-Bibb, Georgia.

SECTION 5-106.

Municipal court of the City of Macon; abolishment of operations in the unified government.

Six months after the effective date of this charter, the Municipal Court of the City of Macon shall stand abolished. Any cases pending before the municipal court on that date shall be transferred to the State Court of Macon-Bibb. Thereafter, all jurisdiction of the former Municipal Court of the City of Macon shall be transferred to the State Court of Macon-Bibb, Georgia.

ARTICLE VI**ELECTIONS****CHAPTER 1 - Conduct of Elections****SECTION 6-101.**

Applicability of general laws.

Except as otherwise provided by this charter, primaries and regular and special elections shall be conducted in accordance with provisions of Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code." As used in said Code section, the terms "election" or "general election" shall be construed to include the term "regular election" as provided in Section 6-102 of this charter; the term "governing authority" shall include the mayor and the board of commissioners of Macon-Bibb, Georgia; the terms "municipal," "municipality," or

821 "county" shall include Macon-Bibb, Georgia; and the term "public office" shall include
822 elective offices of Macon-Bibb, Georgia.

823 **SECTION 6-102.**

824 Regular election, time for holding; voting.

825 (a) Except for the initial elections provided in Section 9-101 of this charter, which may or
826 may not be held on the date of regular state elections, regular elections for the elective public
827 officers of Macon-Bibb, Georgia, shall be held every two years on the same Tuesday in
828 November when regular state elections are held.

829 (b) Only the electorate of each of the seven election districts as defined in Section 6-201 of
830 this charter shall be entitled to vote in the election for the commissioner to be elected from
831 that district.

832 **SECTION 6-103.**

833 Special elections.

834 All special elections shall be held and conducted in accordance with applicable provisions
835 of Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

836 **CHAPTER 2 - Election Districts; Reapportionment**

837 **SECTION 6-201.**

838 Number of districts; boundaries.

839 The territory of Macon-Bibb, Georgia, shall consist of seven single-member election
840 districts. Council Districts 1 through 7 shall consist of the described territory of
841 Macon-Bibb, Georgia, attached to this Act and made a part thereof and further identified Plan
842 Name: bibbcon7d1r Plan Type: Local User: Gina Administrator: H137. When used in such
843 attachment, the terms "Tract" and "BG" (Block Group) shall mean and describe the same
844 geographical boundaries as provided in the report of the Bureau of the Census for the United
845 States decennial census of 2000 for the State of Georgia. The separate numeric designations
846 in a Tract description which are underneath a BG heading shall mean and describe individual
847 blocks within a block group as provided in the report of the Bureau of the Census for the
848 United States decennial census of 2000 for the State of Georgia. Any part of Macon-Bibb,
849 Georgia, which is not included in any such district described in that attachment shall be
850 included within that district contiguous to such part which contains the least population
851 according to the United States decennial census of 2000 for the State of Georgia. Any part

of Macon-Bibb, Georgia, which is described in that attachment as being in a particular district shall nevertheless not be included within such district if such part is not contiguous to such district. Such noncontiguous part shall instead be included with that district contiguous to such part which contains the least population according to the United States decennial census of 2000 for the State of Georgia.

SECTION 6-202.

Reapportionment of election districts.

(a) The election district boundaries of Macon-Bibb, Georgia, shall be reapportioned following the publication of each official federal decennial census of the population of Macon-Bibb, Georgia. Such reapportionment shall be accomplished by the adoption of an amendment to this charter, including Appendix A, by the General Assembly of Georgia.

(b) The reapportionment of election districts shall comply with the following specifications:

(1) Each election district shall be formed of contiguous territory, and its boundary lines shall be the center lines of streets or other well defined boundaries as utilized by the United States Bureau of the Census; and

(2) Such election districts shall be as nearly equal in population as practicable, and they shall comply with the requirements of the federal Voting Rights Act of 1965, as amended.

(c) Any reapportionment of election districts shall apply to officials of the unified government elected at the next regular election following such reapportionment; provided, however, that any reapportionment ordinance shall not apply to any regular election or special election held within six months after the Act becomes effective.

ARTICLE VII

REVENUE AND FINANCE

CHAPTER 1 - Taxation and Other Revenues

SECTION 7-101.

Levy and collection of taxes, fees, charges, and assessments; appropriations.

(a) For the purpose of raising revenue for the support and maintenance of the government of Macon-Bibb, Georgia, the commission shall have full power, authority, and duty to levy and collect taxes to the extent hereinafter provided and to appropriate funds and expend money:

(1) For the purposes authorized by this charter;

(2) For the discharge of the powers, duties, obligations, liabilities, and functions specified in this charter;

(3) For any and all purposes and any and all subjects of taxation for which the City of Macon or Bibb County may have been authorized and in accordance with those authorizations to levy and collect taxes and to appropriate and expend funds under the Constitution or any general or special law of Georgia applicable to the City of Macon or Bibb County on the effective date of this charter; and

(4) For any purpose authorized by the Constitution or any general or special law of Georgia applicable to municipal corporations and counties generally now of force or hereafter enacted.

(b) The board shall have full power, authority, and duty to levy and collect the following taxes, charges, and assessments:

(1) Ad valorem taxes on all real and personal property situated within Macon-Bibb, Georgia, which is subject to taxation for state, county, and municipal purposes, or for any other public purpose, to the full extent permitted by the Constitution and laws of Georgia, whether local (of the City of Macon or Bibb County) or general;

(2) Occupation and business license taxes that are not prohibited by the Constitution and general laws of Georgia. These taxes may be levied upon any person, firm, partnership, company, or corporation which has a location or office within Macon-Bibb, Georgia, at which a business, profession, or occupation is conducted. Subject to the restrictions imposed by general law, the commission may also impose a regulatory fee, whether designated as a license fee or permit fee or other name, on those businesses, professions, or occupations that the government of Macon-Bibb, Georgia, regulates;

(3) An excise tax on rooms, lodgings, or accommodations as now or hereafter provided by law for counties and municipalities;

(4) License fees and taxes on insurance companies as authorized by Code Sections 33-8-8 through 33-8-8.6 of the O.C.G.A.;

(5) A public utility franchise tax, fee, or both on each electric light and power company, gas company, telephone and telegraph company, and other public utility making use of the roads, streets, alleys, or other public ways of Macon-Bibb, Georgia, for the purpose of rendering services therein;

(6) Charge and collect franchise fees on cable television systems as now or hereafter provided by law for counties;

(7) Fees, assessments, and charges for the cost of constructing, reconstructing, widening, or improving any public way, street, sidewalk, curbing, gutters, storm sewers, drainage structures, or other utility mains and appurtenances from the abutting property owners under any terms and conditions as provided by ordinance;

(8) Fees, assessments, charges, and tolls for sanitary and health services or any other services rendered within and without the limits of the unified government under such terms and conditions as provided by ordinance;

(9) All other such taxes, charges, or assessments as the City of Macon or Bibb County were authorized and empowered to make and collect upon the effective date of this charter, which powers may be exercised throughout the area of the unified government, or appropriate portions thereof, including any tax now or hereafter authorized by state law, and the specific mention of any right, power, or authority in this charter shall not be construed as limiting in any way the general powers of the board to govern its local affairs. When authorized by this charter or a statute or the Constitution of the State of Georgia, the board shall have full power and authority to assess, levy, charge, and collect taxes, rentals, interest, fees, penalties, fines, and costs; to receive income on investments; to accept funds, services, or property from other political subdivisions and public agencies, either local, state, or national, and from private persons, firms, or corporations; and to contract with them for any public purpose;

(10) An excise tax upon the sale of distilled spirits or alcoholic beverages for beverage purposes by the drink as now or hereafter provided by law for counties and municipalities;

(11) An excise tax upon the sale, transfer, or dispensing of malt beverages and alcoholic beverages within Macon-Bibb, Georgia, by wholesale or retail dealers as now or hereafter provided by law for counties and municipalities. In addition, the board shall have the authority to impose, assess, levy, and collect an excise tax upon the sale, transfer, or dispensing of wine by wholesale or retail dealers within Macon-Bibb, Georgia, as now or hereafter provided by law for counties and municipalities; and

(12) Such other taxes and charges as provided by law.

SECTION 7-102.

Collection of delinquent taxes and fees.

The collection of delinquent taxes and fees shall be as provided in state law for the collection of delinquent property taxes by counties.

949 **SECTION 7-103.**

950 Homestead exemptions.

951 The homestead exemptions provided under the Constitution and laws of Georgia presently
952 in force or as hereafter amended shall be applicable to all such property subject to ad valorem
953 taxes within Macon-Bibb, Georgia.

954 **SECTION 7-104.**

955 Tax and services districts; taxation therein.

956 (a) The general services area as defined and authorized in paragraph (1) of subsection (a) of
957 Section 7-301 of this charter shall constitute a general services tax district wherein the board
958 shall levy and collect taxes and shall appropriate money to perform and discharge those
959 powers, functions, and services provided therein by the unified government of Macon-Bibb,
960 Georgia.

961 (b) The urban services area as authorized in paragraph (2) of subsection (a) of Section 7-301
962 of this charter, together with any enlargement or modification thereof pursuant to the
963 provisions of this charter, shall constitute an urban tax district, as the case may be, wherein
964 the board may levy and collect additional taxes and may appropriate additional money
965 therefrom to perform and discharge those additional powers, functions, and additional
966 services provided therein by the unified government of Macon-Bibb, Georgia.

967 (c) The assessment of real and personal property for ad valorem tax purposes shall be upon
968 a uniform basis throughout the entire area of the unified government; provided, however, that
969 the rate and manner of additional taxation of services districts may vary in any services tax
970 district from that in another or other services tax districts in such a way as to reflect
971 reasonably the kind, character, type, degree, and level of services afforded to such services
972 tax district or districts.

973 **CHAPTER 2 - Borrowing and Indebtedness**

974 **SECTION 7-201.**

975 Issuance of general obligation bonds.

976 (a) The board shall be authorized to issue and sell general obligation bonds, after approval
977 of the qualified voters, under the provisions of the Constitution and general laws of Georgia
978 for any public purpose for the benefit of the unified government or any tax area or services
979 district thereof; provided, however, that for the purpose of issuing and selling such general
980 obligation bonds, the unified government of Macon-Bibb, Georgia, shall be deemed a county,

981 and the provisions of the Constitution and laws of Georgia governing the limitations, terms,
982 and procedures for the issuance and sale of bonds by counties shall apply to the unified
983 government unless otherwise provided by this charter.

984 (b) All general obligation bonds shall be issued in the name of Macon-Bibb, Georgia, and
985 shall be an obligation thereof, and the full faith and credit of the unified government of
986 Macon-Bibb, Georgia, shall be pledged for all general obligation bonds issued thereunder
987 which are payable from ad valorem taxes, and for such purpose, the board shall have the
988 authority to levy and collect ad valorem taxes without limit as to rate or amount on all
989 taxable property within the territorial limits of the unified government.

990 **SECTION 7-202.**

991 Debt limitation; general obligation bonds.

992 The total general obligation bond indebtedness of the unified government of Macon-Bibb,
993 Georgia, payable from ad valorem taxes (including all outstanding general obligation bonds
994 of the former City of Macon and Bibb County on the effective date of this charter) shall not
995 exceed 10 percent of the assessed value of all taxable property within the territorial limits of
996 the unified government.

997 **SECTION 7-203.**

998 Revenue bonds.

999 The board shall be empowered and authorized to issue revenue bonds for the purposes and
1000 in the manner as now or hereafter provided by Article 3 of Chapter 82 of Title 36 of the
1001 O.C.G.A., the "Revenue Bond Law."

1002 **SECTION 7-204.**

1003 Use of bond proceeds.

1004 All revenue derived by Macon-Bibb, Georgia, from the issuance and sale of bonds shall be
1005 used exclusively for the purposes for which such bonds were issued, and all ad valorem taxes
1006 collected for the purpose of servicing or retiring such bonds shall be used exclusively for the
1007 payment of principal and interest thereof.

SECTION 7-205.

Allocation of indebtedness.

(a) All general indebtedness of Bibb County, whether represented by general obligation bonds or otherwise, which may be outstanding upon the effective date of this charter, shall be allocated to the general services area as defined in paragraph (1) of subsection (a) of Section 7-301 of this charter and is hereby recognized as the obligation of the general services area of Macon-Bibb, Georgia. All general indebtedness of the City of Macon, whether represented by general obligation bonds or otherwise, which may be outstanding upon the effective date of this charter, shall be allocated to the urban services area as defined in paragraph (2) of subsection (a) of Section 7-301 of this charter. The board is hereby authorized to levy taxes and otherwise provide for the retirement thereof, subject to the terms of this charter. Any funds in the control of the heretofore existent City of Macon and Bibb County, now consolidated into Macon-Bibb, Georgia, by this charter, which theretofore had been allocated to the retirement of any bonded indebtedness of said municipality and county, shall be so applied by the Board.

(b) All general obligation bonds issued prior to the effective date of this charter by Bibb County and all bonds authorized but unissued by Bibb County on the effective date of this charter and thereafter issued by Macon-Bibb, Georgia, shall be allocated to the general services area, and the principal of and interest on such bonds shall be paid from ad valorem taxes or other revenues collected in the general services area. All general obligation bonds issued prior to the effective date of this charter by the City of Macon and all bonds authorized but unissued by the City of Macon on the effective date of this charter and thereafter issued by Macon-Bibb, Georgia, shall be allocated to the urban services area, and the principal and interest on such bonds shall be paid from ad valorem taxes or other revenues collected in the urban services area.

(c) Any revenue bonds issued prior to the effective date of this charter by the City of Macon or Bibb County under Article 3 of Chapter 82 of Title 36 of the O.C.G.A., the "Revenue Bond Law," and any such revenue bonds authorized but unissued by said city or county on the effective date of this charter and thereafter issued by Macon-Bibb, Georgia, shall be payable as to principal and interest from the revenues or sources and in the manner provided in the proceedings which authorized the issuance of such revenue bonds.

(d) Neither the allocation of bonds to the general services area nor any of the other provisions of this charter shall impair or diminish any of the rights, revenues, or security and source for payment of any of such bonds or revenue bonds issued by the City of Macon or by Bibb County prior to the effective date of this charter, or authorized but unissued by the City of Macon or by Bibb County on the effective date of this charter and thereafter issued

by Macon-Bibb, Georgia; and such holders of such bonds or revenue bonds shall have and be entitled to enforce any and all rights, remedies, and security and sources for payment granted such holders by the proceedings which authorized the issuance of such bonds or revenue bonds as fully and to the same extent as if this charter had not been adopted.

CHAPTER 3 - Financing of Services

SECTION 7-301.

General and urban services areas.

(a) In Macon-Bibb, Georgia, there shall be:

(1) A general services area which shall consist of the total area of Bibb County as fixed and established upon the effective date of this charter or as hereafter modified according to law;

(2) An urban services area which shall consist of the area embraced within the corporate limits of the City of Macon as the same exists upon the day immediately preceding the effective date of this charter or as such area may be hereafter expanded as herein provided; and

(3) Such special services areas as the board may hereafter establish.

(b) All other tax districts existing in the City of Macon or Bibb County immediately prior to the effective date of this charter are continued in effect by this charter.

(c) Such services areas shall be tax districts wherein taxes and other assessments shall be assessed, levied, and collected by the unified government in accordance with the kind, character, type, and degree of services actually provided therein and may vary in any one services area from that of another or other areas in accordance with the provisions of this charter. The powers, authority, duties, liabilities, services, and functions of Macon-Bibb, Georgia, may vary in any services area from that in another or other services area.

(d) The unified government is hereby empowered to exercise and provide within the general services area and within any urban services area established by this charter or by ordinance of the board those powers, functions, and services which have theretofore been exercised and provided by Bibb County or the City of Macon, or both; all powers, functions, and services authorized by this charter, and any amendments thereto; and all powers, functions, and services which counties and municipal corporations, or both, are now or hereafter authorized to exercise under the Constitution and laws of Georgia.

(e) The unified government shall perform or procure the performance within the general services area of those governmental duties, functions, and services which are generally available and accessible to all residents throughout the total territory of Macon-Bibb, Georgia. As provided in subsection (a) of Section 1-105 of this charter, all services provided

in the general services area shall be made available to the citizens of Payne City at the same rate provided all other citizens of the general services area pursuant to a contract executed between the governments of Payne City and Macon-Bibb for the amount of \$1.00 for a period not to exceed 50 years as provided in Article IX, Section III, Paragraph I of the Constitution of the State of Georgia.

(f) The unified government shall perform within its urban services areas those additional, more comprehensive and intensive, and higher levels of governmental duties, functions, and services which benefit primarily the residents of such urban services areas.

SECTION 7-302.

Creation of services areas by ordinance.

Except as otherwise provided by this charter, services areas of the unified government shall be created, expanded, merged, unified, or reduced only by ordinance duly adopted by the board under such general rules, procedures, regulations, requirements, and specifications as are established by the board and this charter. Such rules and regulations shall set forth the manner and method for the creation of new services areas and the expansion, unification, reduction, or merger of existing services areas; set forth requirements for defining functions and policies for rendering services, for changing levels of services within existing services areas, and for transferring territory from one services area to another; and set forth requirements for defining boundaries of services areas.

SECTION 7-303.

Requirements for defining boundaries.

Whenever in this chapter it is required that the boundaries of a services area be set out, it shall suffice if the boundaries are described in such a way as to convey an intelligent understanding of the location of the land. In the discretion of the board, the boundaries may be described: (1) by reference to a map; (2) by metes and bounds; (3) by general description referring to roads or natural boundaries or to the boundaries of particular tracts or parcels of land; or (4) by any combination of the above methods.

SECTION 7-304.

Notice of hearing prior to adoption of ordinance.

Before it adopts any ordinance authorized or described in Sections 7-301 through 7-303 of this charter, the board shall give notice of its intentions to consider the ordinance and shall

1110 provide an opportunity for interested persons to be heard as provided for in Section 1-105
1111 of this charter.

1112 CHAPTER 4 - Financial Administration

1113 SECTION 7-401.

1114 Fiscal year.

1115 The fiscal year of Macon-Bibb, Georgia, shall begin on the first day of July of each year and
1116 shall end on the thirtieth day of June next following. The board may adopt a different fiscal
1117 year by ordinance, which shall not be effective until at least six months after the date of
1118 adoption thereof. The fiscal year shall constitute the budget year and the year for financial
1119 accounting and reporting of each and every office, department, institution, agency, and
1120 activity of the unified government, unless otherwise provided by state or federal law.

1121 SECTION 7-402.

1122 Preparation of budgets.

1123 The preparation of an annual budget and a capital improvements budget shall be as
1124 prescribed by ordinance and provisions of this charter. In addition, the unified government
1125 of Macon-Bibb, Georgia, may adopt budgets as are permitted by general law, including, but
1126 not limited to, project budgets for major capital projects and fund budgets.

1127 SECTION 7-403.

1128 Scope of budgets.

1129 (a) The annual budget should consist of at least two parts:

1130 (1) Part I of the annual budget shall apply only to the operating expenses of the unified
1131 government; and

1132 (2) Part II of the annual budget shall apply only to capital improvement expenses of the
1133 unified government.

1134 (b) Each section of the annual operating and capital budget shall contain with respect to each
1135 of the operating funds of the government of Macon-Bibb, Georgia, to which they are
1136 applicable:

1137 (1) A reasonable estimate of cash revenues to be received during the ensuing year,
1138 classified according to source;

1139 (2) Proposed expenditures detailed by each department, board, commission, office,
1140 agency, and activity in accordance with an established classification of accounts,

1141 including those capital outlays which are to be financed from the revenues of the ensuing
1142 year and including all debt service requirements in full for such fiscal year; and
1143 (3) Such other information as may be considered necessary or desirable by the COO, the
1144 mayor, or the board.
1145 (c) In no event shall the total proposed expenditures from any fund exceed the total
1146 anticipated revenues plus the estimated unappropriated surplus or fund balance and
1147 applicable reserves less any estimated deficit at the end of the current fiscal year.
1148 (d) The capital improvements budget shall describe capital projects anticipated, the proposed
1149 expenditures therefore, and the revenues or other sources of funds anticipated to finance such
1150 capital projects.

1151 **SECTION 7-404.**

1152 Submission of budgets to the board of commissioners.

1153 (a) In advance of initiating preparations of the annual budget, the mayor, with participation
1154 of the board, shall develop a statement of the general fiscal policies of Macon-Bibb, Georgia,
1155 the important features of the budgets, explanations of major changes recommended for the
1156 next fiscal year, a general summary of the budgets, and such other comments and information
1157 as may be deemed pertinent.
1158 (b) On or before a date fixed by the board but not later than 60 days prior to the beginning
1159 of each fiscal year, the COO, in consultation with the department heads, shall prepare an
1160 operating budget to submit to the mayor. The mayor of the unified government shall submit
1161 to the board a proposed operating budget and a proposed capital improvements budget for
1162 the ensuing fiscal year. Such budgets shall be accompanied by a message from the mayor
1163 containing a statement of the general fiscal policies of Macon-Bibb, Georgia, the important
1164 features of the budgets, explanations of major changes recommended for the next fiscal year,
1165 a general summary of the budgets, and such other comments and information as may be
1166 deemed pertinent. A summary of the budgets and the mayor's message thereon shall be
1167 published in a newspaper of general circulation designated as the legal organ of the unified
1168 government. The operating budget and the capital improvements budget, the budget
1169 message, and all supporting schedules shall be filed in the COO's office and shall be open
1170 to public inspection.

SECTION 7-405.

Adoption of budgets.

(a) The board shall approve, reject, or amend the proposed operating budget. The budget as finally adopted shall provide for all expenditures required by law or by other provisions of this charter and for all debt service requirements for the ensuing fiscal year. The total appropriations from any fund shall not exceed the estimated fund balance, reserves, and revenues constituting the resources available of such fund.

(b) The board shall adopt the final annual operating budget for the ensuing fiscal year not later than the thirtieth day of June of each year, and such budget shall be effective for the fiscal year beginning on the first day of July. In the event the board fails to adopt the budget by this date, the amounts appropriated for current operation for the current fiscal year shall be deemed adopted for the ensuing fiscal year, with appropriate items prorated accordingly, until such time as the board shall adopt a budget for the ensuing fiscal year. Adoption of the annual operating budget shall take the form of an appropriation ordinance setting out estimated revenues in detail by source and making appropriations accordingly to fund organizational units, purposes, or activities as set forth in the budget document.

(c) The amount set out in the adopted operating budget for each organizational unit, purpose, or activity shall constitute the annual appropriation for such item, and no expenditure shall be made or encumbrance created in excess of the otherwise unencumbered balance of the appropriation, or allotment thereof, to which it is chargeable.

(d) The board shall adopt by ordinance the capital improvements program and capital budget for the ensuing fiscal year not later than the thirtieth day of June of each year. The capital budget ordinance shall show in detail the capital expenditures intended to be made or incurred in the ensuing fiscal year that are to be financed from funds subject to control or appropriation by the board and shall be in full conformity with that part of the capital program applicable to the year which it covers. Amounts specified as intended to be spent out of new appropriations shall, upon enactment of the capital budget ordinance, constitute appropriations of such amounts.

SECTION 7-406.

Property tax levies.

Following the adoption of the operating and capital improvements budgets for each fiscal year:

(1) The board shall levy by ordinance a general services area tax on all real and personal property within the general services tax district as provided by this charter. The tax rate

1205 set by such ordinance shall be such that a reasonable estimate of cash revenues from such
1206 levy shall be at least sufficient, together with other anticipated revenues, fund balances,
1207 and applicable reserves, to equal the total amount appropriated for each of the several
1208 funds set forth in the annual operating budget for defraying the expenses of the general
1209 services area for services to be rendered throughout the entire area of Macon-Bibb,
1210 Georgia. Such services shall include those functions set forth in subsections (c) and (d)
1211 of Section 7-301 of this charter, and such other purposes, functions, and services as may
1212 be authorized by the laws of Georgia, by this charter, or by ordinance of the board;
1213 (2) The board shall levy by ordinance an urban services area tax on all real and personal
1214 property within the urban services tax district as authorized by this charter. The tax rates
1215 set by such ordinance for each district shall be such that a reasonable estimate of cash
1216 revenues from such levy shall be at least sufficient, together with other anticipated
1217 revenues, fund balances, and applicable reserves, to equal the total amount appropriated
1218 for each of the several funds set forth in the annual operating budget for defraying the
1219 expenses of a higher level of services to be rendered in urban services areas; and
1220 (3) The board shall levy by ordinance a special services area tax on all real and personal
1221 property within any special services tax district as authorized by this charter. The tax
1222 rates set by such ordinance for each district shall be such that a reasonable estimate of
1223 cash revenues from such levy shall be at least sufficient, together with other anticipated
1224 revenues, fund balances, and applicable reserves, to equal the total amount appropriated
1225 for each of the several funds set forth in the annual operating budget for defraying the
1226 expenses of a higher level of services to be rendered in a special services area.

1227 **SECTION 7-407.**

1228 Limitation of funds.

1229 Upon certification by the COO that the revenues or other resources actually realized with
1230 respect to any fund will be less than was anticipated and will be insufficient to meet the
1231 amounts appropriated from such fund, it shall be the duty of the COO upon the instruction
1232 of the mayor of the unified government to limit such appropriations as may be necessary to
1233 prevent deficit operation.

SECTION 7-408.

Transfer of funds.

Upon recommendation of the COO and approval of the mayor, the board may make interfund or interdepartmental transfers in the current operating budget or capital improvements budget at any regular or special meeting called for such purpose, provided funds are also available.

SECTION 7-409.

Lapse of appropriations.

All unencumbered balances of appropriations in the current operating budget at the end of the fiscal year shall lapse into the unappropriated surplus or reserves of the fund or funds from which such appropriations were made.

SECTION 7-410.

Continuing audit.

The auditor shall conduct a continuing internal audit of the fiscal affairs and operations of every department, office, and agency of the unified government.

SECTION 7-411.

Postaudit.

(a) The board shall provide annually for an independent audit of the accounts and other evidences of financial transactions of the government of Macon-Bibb, Georgia, and of every office, department, board, commission, authority, or other agency. The audit shall be made by a certified public accountant who shall have no personal interest, direct or indirect, in the fiscal affairs of Macon-Bibb, Georgia, or of any of its departments, offices, boards, commissions, authorities, or agencies. The board shall by competitive bids, taking into consideration the lowest and best bid, designate such accountant or firm annually or for a period not exceeding three years.

(b) The audit may be conducted on a quarterly or continuing basis, and the final report of the annual audit shall be completed as soon as practicable after the close of the fiscal year, and in no event later than six months after the close of the fiscal year. The audit report shall be filed with the COO and made available to the public.

(c) The board may at any time order an examination or special audit of any office, department, board, commission, or other agency of Macon-Bibb, Georgia.

CHAPTER 5 - Procurement and Disposition of Property

SECTION 7-501.

Contracting procedures.

The board shall prescribe by ordinance rules and regulations which must be followed in the making of contracts in order to bind the government of Macon-Bibb, Georgia. Except where otherwise provided by law or by ordinance, all contracts of the government of Macon-Bibb, Georgia, shall be signed by the mayor and authenticated by the COO.

SECTION 7-502.

Sale and disposition of property.

(a) The board is authorized to sell any real or personal property owned or held by Macon-Bibb, Georgia, and not needed for governmental or other public purposes in such manner as is required in state law for counties, as provided for in Code Sections 36-9-2 and 36-9-3 of the O.C.G.A.

(b) The board is empowered to authorize the following transactions:

(1) A transfer of any real or personal property owned by Macon-Bibb, Georgia, to another governmental entity upon finding that such transfer is in the public interest;

(2) A sale of any such property to another governmental entity; and

(3) An exchange of such property for property that is owned privately or by some other governmental entity.

In each instance, whether the property is transferred, sold, or exchanged, the requirements of a public sale shall not be required; but a statement thereof shall be published in the newspaper designated as the legal organ of the unified government once a week for the two weeks preceding the day in which such transaction is to be concluded. Such statement shall contain a description of the property or properties involved and the prices and estimated values as to each item of property.

(c) Macon-Bibb, Georgia, may quitclaim any rights it may have in property not needed for public purposes upon a report by the COO of the unified government and the adoption by the board of a resolution, both finding that the property is not needed for public purposes and that the interest of the government of Macon-Bibb, Georgia, therein has no readily ascertainable monetary value.

(d) Whenever in opening, extending, or widening any street, avenue, alley, or public place of Macon-Bibb, Georgia, a small parcel or tract of land is cut off or separated by such work from a larger tract of land owned by Macon-Bibb, Georgia, the board may authorize the execution and deliverance in the name of the government of Macon-Bibb, Georgia, of a deed

conveying said cut-off or separated parcel or tract of land to an abutting or adjoining property owner or owners in exchange for rights of way in said street, avenue, alley, or public place, or in settlement of any alleged damages sustained by said abutting or adjoining property owner. All deeds and conveyances so executed and delivered shall convey all title and interest the government of Macon-Bibb, Georgia, has in such property.

ARTICLE VIII

GENERAL PROVISIONS

SECTION 8-101.

Application of laws; laws in force.

(a) The general laws of the State of Georgia of a criminal nature shall be applicable to and within the limits of the unified government. General laws of local application through classification by population, not in conflict with this charter:

(1) Which on the effective date of this charter apply to the City of Macon or Bibb County, Georgia, shall be applicable to the unified government; and

(2) Which apply to Macon-Bibb, Georgia, as either a city or a county at the time of their enactment or thereafter shall be effective; but those which did not apply to the City of Macon or Bibb County or the unified government at the time of their enactment shall not become applicable to the unified government except through the adoption of a resolution to that effect by the board.

(b) Local Acts of the State of Georgia which apply specifically to either Bibb County or the City of Macon, or both, shall be applicable to the unified government.

(c) In construing the applicability of provisions of the Constitution and the general laws of Georgia which apply in general terms to either counties or municipalities, or both, and local Acts of the General Assembly that apply specifically to Bibb County or the City of Macon, or both, the following terms as used in such laws shall be construed to include the unified government as follows:

(1) "County" shall be construed to include Macon-Bibb, Georgia;

(2) "City," "town," "municipal corporation," or "municipality" shall be construed to include Macon-Bibb, Georgia;

(3) "Commissioners of Roads and Revenues" and "Board of County Commissioners" shall be construed to include the Board of Commissioners of Macon-Bibb, Georgia;

(4) "Council," "Mayor and Council," "Aldermen," and "Board of Aldermen" shall be construed to include the Board of Commissioners of Macon-Bibb, Georgia;

(5) "Chairman of the Commissioners of Roads and Revenues" and "Chairman of the Board of County Commissioners" shall be construed to include the mayor of Macon-Bibb, Georgia;

(6) "Mayor" shall be construed to include the mayor of Macon-Bibb, Georgia; and

(7) Any other terms and provisions as used in such Acts to refer specifically to Bibb County or the City of Macon, or both, and the officers, employees, departments, and agencies thereof shall be construed to mean Macon-Bibb, Georgia, and its officers, employees, departments, and agencies.

(d) In construing the applicability of laws in force to the unified government, the following order shall prevail:

(1) The Constitution of the State of Georgia;

(2) The general laws of uniform application now in force or hereafter enacted by the General Assembly (as distinguished from general laws of local application through classification by population) applicable to municipal corporations or counties, or both;

(3) The general laws of local application through classification by population as and to the extent provided in subsection (a) of this section;

(4) Special laws applicable to Bibb County not in conflict with this charter;

(5) Special laws applicable to the City of Macon not in conflict with this charter;

(6) This charter and all ordinances and resolutions passed pursuant thereto; and

(7) Existing ordinances and resolutions of the former City of Macon and existing ordinances and resolutions of the former County of Bibb not in conflict with this charter.

SECTION 8-102.

Limitation on claims and service.

(a) All contractual claims against the unified government shall be presented within 12 months after they accrue or become payable or the same as claimed, unless held by minors or other persons laboring under disabilities, who are allowed 12 months after the removal of such disability.

(b) Service on the unified government of any suit, process, or order of court shall be served upon the mayor.

SECTION 8-103.

Tort and nuisance liability.

The tort and nuisance liability of the unified government shall follow the law and rules of tort liability applicable to counties in Georgia.

SECTION 8-104.

Conflict of laws.

For purposes of all applicable laws, the unified government of Macon-Bibb, Georgia, shall constitute a municipality and a county, or both. Except as otherwise provided by this charter, if a law applicable to municipalities and the same or another law applicable to counties are in conflict, the law applicable to municipalities shall prevail.

SECTION 8-105.

Competitive bidding.

All departments and agencies of the unified government shall utilize competitive bidding procedures, as specified in an ordinance of the board, for all purchases in excess of an amount provided for in an ordinance of the board, unless such purchase shall be otherwise approved by five of the seven commissioners.

SECTION 8-106.

Execution of assessments.

Whenever any tax or special assessment is authorized or empowered to be levied or imposed by this charter which is required to be collected by the unified government and such is not paid within the time period specified by the board and no specific provision is elsewhere provided in this charter for its collection, then the COO shall issue execution in the name of Macon-Bibb, Georgia, against such person, firm, or entity liable therefor or property subject thereto for such sums as may be due with interest at the legal rate from due date, and penalties and costs. The unified government shall have the right to enforce payment of such execution by levy and sale as in the case of county taxes, and the purchaser at such sale shall acquire the same title and rights as a purchaser at a sale for county taxes. Executions issued by the COO of Macon-Bibb, Georgia, and the levy and sale thereunder shall be governed by general law.

SECTION 8-107.

Authority to deal with federal and state agencies.

The unified government of Macon-Bibb, Georgia, shall have the power and authority to participate in, cooperate in, and take all necessary action with respect to any and all projects, programs, and undertakings of any nature authorized by any statute, rule, or regulation of the

1394 United States, the State of Georgia, or any federal or state agency or instrumentality,
1395 including, but not limited to, community development, highways, aviation, aviation
1396 terminals, airports, airport facilities, municipal area or regional development, sewer and
1397 sewage disposal, public housing, housing for the aged, and transportation or mass transit or
1398 any phase thereof; to borrow money and issue promissory notes, general obligation bonds,
1399 or revenue bonds or a combination thereof for any such purposes in accordance with
1400 provisions of this charter; and to execute mortgages or deeds of trust in favor of any federal
1401 agency, secured by property of which the unified government is the legal or beneficial or
1402 equitable owner, or in favor of any private agency where the loan is guaranteed by a federal
1403 agency.

1404 **SECTION 8-108.**

1405 Federal and state aid.

1406 The unified government of Macon-Bibb, Georgia, shall be deemed a county but shall also
1407 be deemed an incorporated city or municipality for the purpose of determining its right to
1408 receive and for the purpose of receiving state aid or grant-in-aid from the State of Georgia
1409 or from the United States or from any agency or instrumentality thereof or from any other
1410 source, public or private. The unified government shall be entitled to receive as state aid or
1411 as grant-in-aid from the State of Georgia or from the United States or from any agency or
1412 instrumentality thereof or from any other source, public or private, all funds to which a
1413 county is, or may hereafter be, entitled, and also all funds to which an incorporated city or
1414 municipality is, or may be hereafter entitled, and to receive the same without diminution or
1415 loss by reason of unification. When state aid or other grant-in-aid is distributed to any
1416 county on the basis of population or area, or both, then the entire population and the total
1417 area of Macon-Bibb, Georgia, shall be considered in calculating and determining the basis
1418 for such distribution. When state aid or other grant-in-aid is distributed to any county on the
1419 basis of rural area, rural road mileage, or rural population, or any combination thereof, then
1420 that area of the general services area outside of the urban services area or areas of
1421 Macon-Bibb, Georgia, shall be deemed to constitute rural area, its road mileage to constitute
1422 rural road mileage, and its population to constitute rural population. When state aid or other
1423 grant-in-aid is distributed to any incorporated city or municipality on the basis of population
1424 or area, or both, then the population or the area of the urban services area or areas of
1425 Macon-Bibb, Georgia, shall be deemed the population and the area used in calculating and
1426 determining the basis of such distribution.

SECTION 8-109.

Budgets of county officers and agencies.

All elected officers and all agencies not under the direct control and jurisdiction of the COO, such as the Board of Health and the Board of Family and Children Services, which receive appropriations from the board, shall, on the same date as is applicable to budgets submitted by department heads, submit to the COO annual operating and capital budget requests for the ensuing fiscal year. Such budget requests, after any revisions therein by the COO and the mayor, shall be incorporated into the overall unified government budget for submission by the mayor to the board, which shall grant a hearing to any such officer or agency on such proposed budgets.

SECTION 8-110.

Existing pension rights protected.

(a) Persons who, at the time this charter takes effect, are employed by any office, department, board, commission, or agency of the former City of Macon shall retain all pension rights which have accrued to them under any existing pension system. Macon-Bibb, Georgia, shall continue in force and effect any existing pension system for city employees covered thereby who are employed by the unified government, and the services of such employees shall not be deemed to have been interrupted by the adoption of this charter.

(b) Persons who, at the time this charter takes effect, are employed by any office, department, board, commission, or agency of the former County of Bibb shall retain all rights which have accrued to them under any existing pension system. Macon-Bibb, Georgia, shall continue in force and effect any existing pension system for county employees covered thereby who are employed by the unified government, and the services of such employees shall not be deemed to have been interrupted by the adoption of this charter.

SECTION 8-111.

Establishment of new pension systems; merging of existing systems.

The board is hereby authorized and empowered to establish and maintain a new pension system or pension systems affecting new employees and such other employees as desire to be covered thereby and to revise, combine, and consolidate any pension system in effect on the effective date of this charter; provided, however, that in no event shall any revision, combination, or unification of any existing pension system in effect when this charter is adopted result in the curtailment or diminishment of any right accrued under any existing

1459 pension system to any person heretofore employed by the City of Macon, Bibb County, or
1460 of any agency of such former governments.

1461 **SECTION 8-112.**

1462 Amending charter.

1463 This charter may be modified, rescinded, changed, or amended by only the following
1464 methods:

1465 (1) An Act of the General Assembly of Georgia; or

1466 (2) An ordinance adopted by the Board of Commissioners of Macon-Bibb, Georgia, as
1467 provided for in Article IX, Section II, Paragraph I of the Constitution of the State of
1468 Georgia.

1469 **SECTION 8-113.**

1470 Fidelity bonds.

1471 All officers of Macon-Bibb, Georgia, both elected and appointed, shall execute such official
1472 bonds in such amounts and upon such terms and conditions as the law or the board may
1473 require.

1474 **SECTION 8-114.**

1475 Examples of powers.

1476 The powers of Macon-Bibb, Georgia, shall include, but shall not be limited to, the following
1477 powers:

1478 (1) Ad valorem taxation: to levy, assess, and collect ad valorem taxes on all taxable
1479 property;

1480 (2) Other taxes: to levy, assess, and collect other taxes allowed by general law and in
1481 accordance therewith;

1482 (3) Business regulation and taxation: to levy, assess, and collect occupation taxes and
1483 to license and regulate occupations and businesses;

1484 (4) Appropriations: to make appropriations and expend funds for support of the unified
1485 government and any other lawful purpose;

1486 (5) Debts: to borrow money and issue bonds as authorized by general law;

1487 (6) Property: to own property and interests in property;

1488 (7) Gifts: to accept gifts and grants for any purpose related to the powers and duties of
1489 the unified government on such terms as the donor may impose;

- 1490 (8) Condemnation: to condemn property inside the unified government for present or
1491 future use;
- 1492 (9) Public utilities: to acquire, lease, operate, and dispose of public utilities;
- 1493 (10) Franchises: to grant franchises or make contracts for public utilities and to prescribe
1494 the conditions of such franchises and contracts;
- 1495 (11) Roadways: to open, maintain, improve, and close streets and roads and to grant
1496 franchises and rights of way thereon;
- 1497 (12) Public facilities: to acquire, operate, and dispose of public buildings, public
1498 projects, parks, cemeteries, recreational facilities, and other public improvements inside
1499 the unified government;
- 1500 (13) Building regulation: to regulate the building trades and the construction of
1501 buildings and to adopt and enforce building, housing, plumbing, electrical, gas, heating,
1502 and air-conditioning codes;
- 1503 (14) Planning and zoning: to adopt land use plans and exercise the power of zoning,
1504 subdivision regulation, and the like;
- 1505 (15) Police power: to exercise the police power for the public safety and well-being of
1506 the citizens of the unified government;
- 1507 (16) Roadside regulation: to prohibit or regulate signs, billboards, and other items upon
1508 or adjacent to streets and roads;
- 1509 (17) Health: to prescribe and enforce health and sanitation standards;
- 1510 (18) Pollution: to regulate emissions which pollute the air and water;
- 1511 (19) Fire safety: to fix fire limits and to prescribe and enforce fire safety regulations;
- 1512 (20) Public hazards: to provide for the destruction or removal of public hazards;
- 1513 (21) Waste disposal: to provide for and regulate the collection, disposal, and recycling
1514 of garbage and wastes;
- 1515 (22) Garbage fees: to fix and collect garbage fees;
- 1516 (23) Nuisances: to define and provide for the abatement of nuisances;
- 1517 (24) Property protection: to preserve and protect the property of the unified government;
- 1518 (25) Prisoners: to provide for public work by prisoners and for their confinement;
- 1519 (26) Animal control: to regulate or prohibit the keeping of animals;
- 1520 (27) Motor vehicles: to regulate the operation and parking of motor vehicles;
- 1521 (28) Taxicabs: to regulate vehicles operated for hire in the unified government;
- 1522 (29) Pensions: to provide and maintain a system of pensions and retirement for
1523 employees and officers of the unified government;
- 1524 (30) Special assessments: to levy, assess, and collect special assessments to cover the
1525 cost of public improvements;
- 1526 (31) Contracts: to enter into lawful contracts and agreements;

- 1527 (32) Agencies: to create, alter, or abolish departments, boards, offices, commissions,
1528 authorities, and agencies of the unified government and to confer appropriate authority
1529 upon them;
- 1530 (33) Penalties: to provide penalties for violations of ordinances of the unified
1531 government;
- 1532 (34) Police and fire protection: to exercise the power of arrest through appointed
1533 policemen and to operate a fire department;
- 1534 (35) Emergencies: to provide for the determination, proclamation, and combating of
1535 emergencies;
- 1536 (36) Urban redevelopment: to organize and operate an urban redevelopment program;
- 1537 (37) Public transportation: to organize and operate public transportation systems; and
- 1538 (38) General health, safety, and welfare: to define, regulate, and prohibit any act,
1539 practice, conduct, or use of property which is detrimental to the health, sanitation,
1540 cleanliness, welfare, and safety of the inhabitants of the unified government.

1541 **SECTION 8-115.**

1542 Provision of services.

- 1543 When determining services to be provided, the unified government of Macon-Bibb, Georgia,
1544 shall always attempt:
- 1545 (1) To efficiently allocate resources to increase the quality of life for all citizens of
1546 Macon-Bibb;
- 1547 (2) To provide the highest quality services to all citizens of Macon-Bibb;
- 1548 (3) To ensure efficient utilization of community resources;
- 1549 (4) To promote equity for all citizens in the delivery of governmental services throughout
1550 Macon-Bibb; and
- 1551 (5) To recognize and consider the advantages of the provision of services through
1552 contractual arrangements with other governments and private enterprises.

1553 **SECTION 8-116.**

1554 Historic items.

- 1555 It shall be the responsibility of the unified government to collect, preserve, and display
1556 documents and other items of historical significance to the City of Macon and Bibb County.

SECTION 8-117.

Section captions.

The captions to the several sections of this charter are informative only and are not be construed as a part thereof.

SECTION 8-118.

Effect of repeals.

No law heretofore repealed, expressly or by implication, shall be revived by the repeal herein of the repealing Act or by any provision of this charter that disclaims an intention to repeal or affect enumerated laws.

SECTION 8-119.

Severability clause.

If any provision of this charter or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this charter which can be given effect without the invalid provision or application, and to this end, the provisions of this charter are declared to be severable.

SECTION 8-120.

Repeal of conflicting laws.

All laws and parts of laws in conflict with this charter are hereby repealed.

ARTICLE IX**TRANSITION PROVISIONS****SECTION 9-101.**

Election of first officials.

(a) The initial election for the purpose of electing the first mayor and members of the board of commissioners of the unified government shall be held on the Tuesday next following the first Monday in November, 2012. The board of elections shall publish notice of the call for such election in the newspaper in which the Bibb County sheriff's advertisements appear at least 30 days prior to the date of such election.

1584 (b) The election shall be held in accordance with the provisions of Chapter 2 of Title 21 of
1585 the O.C.G.A., the "Georgia Election Code." Within 30 days following the approval of this
1586 charter as provided in Section 9-115 of this charter, the Board of Elections of Bibb County
1587 shall prepare a list of qualified voters for each of the seven commission districts described
1588 in Appendix A of this charter. The officials elected at such election shall commence the
1589 terms of their office on the effective date of this charter.

1590 (c) The qualifications for office for such initial election shall be as prescribed by applicable
1591 provisions of this charter.

1592 (d) Any elected official of Bibb County or of any municipality lying wholly or partially
1593 therein and who is otherwise qualified under this charter shall be entitled to qualify and run
1594 for an office of the unified government.

1595 **SECTION 9-102.**

1596 Initial terms of office.

1597 The initial terms of the mayor and commissioners of the unified government elected at the
1598 November, 2012, election from the odd-numbered districts shall be for four years. The initial
1599 terms of the first commissioners of the unified government elected at the November, 2012,
1600 election from even-numbered districts shall be for two years. Such terms shall commence
1601 on January 1, 2013. Thereafter elections, all commissioners shall be elected for four-year
1602 terms.

1603 **SECTION 9-103.**

1604 Provision of services during transition.

1605 In order to unify the two governments and to assure the common and continued
1606 administration of services currently provided by both the City of Macon and Bibb County,
1607 the following procedures shall apply:

1608 (1) On January 1, 2013, all services currently provided by the county shall be provided
1609 through the general services area to all residents of the county, and all services provided
1610 by the city shall be provided through the urban services area to the current residents of
1611 the City of Macon. Assuming the continued availability of state and federal funds, these
1612 service arrangements shall apply until modified as provided under the provisions cited
1613 in this section;

1614 (2) Not later than January 1, 2016, the unified government shall adopt a service delivery
1615 plan that includes, but is not limited to, the following:

(A) An administrative mechanism with appropriate status and adequate budget to develop and implement a comprehensive program of human and economic development. The program shall be responsible for identifying problems and needs that exist in the community and for identifying and securing resources needed to effectively address these problems and needs. The program shall encourage efforts to enable, empower, and involve the disadvantaged; address the causes of crime; work to enhance the quality of life of all citizens; and to help ensure that the unified government will be responsive to the needs of all citizens; and

(B) An administrative mechanism with appropriate status and adequate budget to develop and implement adequate parks and recreation programs that will be available to all citizens of Macon-Bibb; and

(3) The unified government shall work with due speed to equalize the charges for all services throughout the county.

SECTION 9-104.

Existing employees.

(a) The unified government shall give hiring preference to full-time employees of the City of Macon and Bibb County and full-time employees of any department, office, or agency thereof upon the termination of said city and county governments and the inception of the unified government.

(b) No person shall be appointed to, removed from, or in any way favored or discriminated against with respect to any position in the unified government because of race, gender, religion, age, handicap, or national origin.

SECTION 9-105.

Initial budget.

(a) Until July 1, 2013, Macon-Bibb, Georgia shall operate under the funds remaining from the fiscal year of the combined budgets of the City of Macon and Bibb County.

(b) The first full 12 month budget of the unified government for fiscal year 2013 shall not exceed an amount equal to the combined fiscal year general operating budgets of the City of Macon and Bibb County, plus increases due to inflation as specified in the Consumer Price Index, but not including capital road improvement and other special revenue funds.

SECTION 9-106.

Number of employees.

From January 1, 2013, until July 1, 2013, the total number of employees of Macon-Bibb, Georgia, shall not exceed the combined number of employees authorized for the governments of the City of Macon and Bibb County on the effective date of this charter.

SECTION 9-107.

Cooperation of former governments.

(a) All officers, officials, and employees of the former City of Macon and Bibb County shall cooperate with and assist the mayor, the board, the chief operating officer, and other officers of Macon-Bibb, Georgia:

(1) In planning the unification of departments, boards, commissions, and agencies of said former governments and in transferring the functions, duties, and responsibilities of such departments, boards, commissions, authorities, and agencies to the appropriate agencies of the unified government of Macon-Bibb, Georgia; and

(2) In all other respects in order that the transfer of the governments be accomplished in the most orderly manner possible. The officers of the unified government shall be entitled to examine all records, files, and other data in the possession of the former governments and of all officers, officials, employees, and departments thereof. The former governments shall, to the extent possible, provide working areas and facilities for the officers of the unified government.

(b) A schedule for activity during the transition period is contained in Appendix B, attached to and made a part of this charter.

SECTION 9-108.

Existing ordinances and resolutions continued in effect.

(a) Subject to subsection (d) of this section, existing ordinances and resolutions of the Commission of Bibb County and existing rules and regulations of county departments or agencies, not inconsistent with the provisions of this charter, shall continue in effect as ordinances, resolutions, rules, or regulations of Macon-Bibb, Georgia, or the appropriate department or agency thereof until they have been repealed, modified, or amended.

(b) Subject to subsection (d) of this section, existing ordinances and resolutions of the City of Macon, not inconsistent with the provisions of this charter, shall continue in effect as

ordinances and resolutions of Macon-Bibb, Georgia, and shall apply only to the area included within the urban services area until they have been repealed, modified, or amended.

(c) Subject to subsection (d) of this section, in the event of a conflict between any of the ordinances or resolutions continued by this section, the provisions thereof shall apply only to the territory of the unified government that such ordinance or resolution applied prior to the effective date of this charter and until such ordinance or resolution is repealed, changed, or amended to eliminate the conflict.

(d) Prior to this date, the board shall review all ordinances and resolutions and take whatever action is needed to remove any conflicts between ordinances and resolutions continued by this section in order to produce a uniform body of ordinances and resolutions free of any conflicts or contradictions between such provisions. This provision shall not prohibit the unified government from ratifying existing ordinances or adopting new ordinances that differentiate based on reasonable factors as determined by the board, including, but not limited to, population density.

SECTION 9-109.

Contracts and obligations.

(a) Except as otherwise provided by this charter, all contracts, orders, leases, bonds, and other obligations or instruments entered into by Bibb County or for its benefit prior to the effective date of this charter shall continue in effect according to the terms thereof as obligations and rights of the unified government; provided, however, that any obligation created by Bibb County to become effective after the date of approval of this charter and prior to the effective date of this charter shall be subject to ratification and approval by the Board of Commissioners of Macon-Bibb, Georgia, within six months following the effective date of this charter.

(b) Except as otherwise provided by this charter, contracts, orders, leases, bonds, and other obligations or instruments entered into by the City of Macon or for its benefit prior to the effective date of this charter shall continue in effect according to the terms thereof as obligations and rights of the unified government; provided, however, that any obligation created by the City of Macon to become effective after the date of approval of this charter and prior to the effective date of this charter shall be subject to ratification and approval by the Board of Commissioners of Macon-Bibb, Georgia, within six months following the effective date of this charter.

(c) No pending action or proceeding of any nature (whether civil, criminal, judicial, administrative, or other) by or against the City of Macon or Bibb County or an agency or

1711 department thereof shall be abated or otherwise affected by the adoption of this charter, and
1712 Macon-Bibb, Georgia, shall stand substituted as a party in lieu thereof.

1713 **SECTION 9-110.**

1714 Dissolution of existing governments.

1715 (a) On January 1, 2013, the Commission of Bibb County and the mayor and Council of the
1716 City of Macon and all the officers thereof and the offices thereof not continued under this
1717 charter are abolished, and all emoluments appertaining thereto shall cease. Thereupon, the
1718 governments of Bibb County and the City of Macon shall terminate as separate political
1719 entities, and all powers, functions, duties, and obligations thereof shall be transferred to and
1720 vested in the unified government created by this charter.

1721 (b) The term of the mayor and councilmembers for the City of Macon whose terms expire
1722 in 2011 shall be extended for a period of one year, and there shall be no municipal election
1723 held for councilmembers in 2011.

1724 **SECTION 9-111.**

1725 Transfer of records and equipment.

1726 When an agency of the City of Macon or of Bibb County is abolished or unified by this
1727 charter, all books, papers, maps, charts, plans, records, other equipment, and personal
1728 property in possession of the same shall be delivered to the agency to which its rights,
1729 powers, duties, and obligations are transferred.

1730 **SECTION 9-112.**

1731 Officers serve until successors qualify.

1732 Notwithstanding any other provision of this charter, any officer performing duties under the
1733 government of the City of Macon or Bibb County may continue to perform the duties thereof
1734 until a successor, whether under the same title or office of another, shall be elected or
1735 appointed and qualified to perform the duties, it being the intention hereof that no duty or
1736 service shall lapse or be abandoned because of lack of an officer to perform same.

SECTION 9-113.

Referendum on the charter.

(a) Not less than 30 days nor more than 60 days after receipt of the certified copy of the proposed charter and after receipt of approval by the Department of Justice of such proposed charter, it shall be the duty of the Bibb County Board of Elections to call a special election for approval or rejection of the proposed charter. The date of the election shall be the date of the state-wide general election in 2010. The board shall cause the date and purpose of the election to be published once a week for two calendar weeks immediately preceding the date thereof in the official legal organ of Bibb County. The ballot shall have written or printed thereon the following:

"() YES Shall the charter unifying the governments of the City of Macon and Bibb County and creating a single county-wide government to supersede and
() NO replace those governments and which extends the terms of the mayor and certain councilmembers of the City of Macon for one year be approved?"

(b) All persons desiring to vote for approval of the charter shall vote "YES," and those persons desiring to vote for rejection of the charter shall vote "NO." If more than one-half of the votes cast by the qualified voters of Bibb County residing within the corporate limits of the City of Macon are for approval of the charter and if more than one-half of the total votes cast by all the qualified voters of Bibb County are for approval of the charter, then the charter shall become effective. Otherwise, it shall be void and of no force and effect. The expense of such election shall be borne equally by the City of Macon and Bibb County.

(c) The special election shall be conducted pursuant to Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

(d) A qualified voter, as used herein, shall mean a voter of Bibb County qualified to vote for members of the General Assembly of Georgia. The board shall certify the returns to the Secretary of State. The board shall also furnish a certified copy of the charter to the Secretary of State. The Secretary of State shall issue a proclamation showing and declaring the result of the election on the approval or rejection of the charter. One copy of the proclamation shall be attached to the copy of the charter certified to the Secretary of State. One copy of the proclamation shall be delivered to the clerk of the governing authority of the City of Macon who shall attach the same to the copy of the charter previously certified to him or her. One copy of the proclamation shall be delivered to the clerk of the governing authority of Bibb County who shall attach the same to the copy of the charter previously certified to him or her.

(e) Whenever a charter for the unification of the governments of the City of Macon and Bibb County has been accepted, the above-certified copies thereof, with the proclamation of the

1773 Secretary of State of Georgia attached thereto, shall be deemed duplicate original copies of
1774 the charter of the unified government for all purposes. The certified copy of the charter and
1775 proclamation deposited with the clerk of the governing authority of the City of Macon and
1776 the certified copy of the charter and proclamation deposited with the clerk of the governing
1777 authority of Bibb County shall subsequently be delivered by them to the successor
1778 government. The successor government may issue certified copies of the charter, and any
1779 copy so certified shall be deemed a duplicate original copy of the charter of the unified
1780 government for all purposes. The Secretary of State is authorized to issue certified copies
1781 of the charter on file, and copies so certified shall be deemed duplicate original copies of the
1782 charter of the unified government for all purposes.

1783 **SECTION 9-114.**

1784 Effective dates.

1785 Section 9-101 of this charter, relating to initial elections, subsection (b) of Section 9-110 of
1786 this charter, relating to the extention of terms of certain City of Macon councilmembers, and
1787 Section 9-114 of this charter, relating to a referendum, shall become effective on July 1,
1788 2010. The remaining sections of this charter shall become effective on January 1, 2013.